

U.S. Appln. No. 10/523,861  
Reply to Final Office Action dated July 11, 2006

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CENTRAL FAX CENTER PATENT  
450100-05043

SEP 08 2006

**REMARKS/ARGUMENTS**

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

**I. STATUS OF THE CLAIMS AND FORMAL MATTERS.**

Claims 10-19 are pending. Claim 10, which is independent, is hereby amended. No new matter has been introduced. Support for this amendment can be found throughout the Specification as originally filed and specifically on page 13. It is submitted that these claims, as originally presented, were in full compliance with the requirements of 35 U.S.C. §112. Changes to claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicant is entitled.

**II. REJECTIONS UNDER 35 U.S.C. §103(a)**

Claims 10-19 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Pub. No. 2002/0052228 to Ko (hereinafter, merely "Ko") in view of U.S. Patent No. 6,373,397 to Song (hereinafter, merely "Song").

Claim 10 recites, *inter alia*:

"An electronic device, comprising:...

a rotary operating unit that is freely rotating,  
configured to accept rotating operation of a user,

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an active element for detecting rotation of said rotary operating unit, and

said active element generates pulse signals having a phase difference depending on a direction of rotation of said rotary operating unit." (Emphasis added)

As understood by Applicant, Ko relates to a power control apparatus in a foldable portable radio terminal allowing the terminal to be powered on/off with the sub-body of the terminal being closed.

As understood by Applicant, Song relates to controlling a back light in a mobile terminal, in which a first back light of a liquid crystal display and a second back light of a key pad are independently controlled. The first and second back lights are driven if a flip cover is opened, while the first back light is only driven if the function selection key is input.

Applicant respectfully submits that Ko and Song, taken either alone or in combination, do not teach or suggest the above-identified features of claim 10. Specifically, the combination of Ko and Song does not teach or suggest an electronic device comprising a rotary operating unit that is freely rotating, configured to accept rotating operation of a user, an active element for detecting rotation of said rotary operating unit wherein said active element generates pulse signals having a phase difference depending on a direction of rotation of said rotary operating unit, as recited in independent claim 10.

Further, the rotary operating unit in the present invention is freely rotatable. On the other hand, sub-body 120, as taught by Ko, rotates on a hinge of the portable radio terminal. Sub-body 120 cannot make a complete revolution and its rotation is confined to a predetermined maximum angle. Therefore, the rotary operating unit of the present invention is distinguished over the sub-body 120 disclosed by Ko.

Therefore, Applicant submits that independent claim 10 is patentable.

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### III. DEPENDENT CLAIMS

The other claims are dependent from one of the independent claims, discussed above, and are therefore believed patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

### CONCLUSION

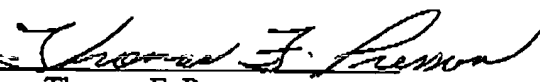
In the event the Examiner disagrees with any of statements appearing above with respect to the disclosure in the cited reference, or references, it is respectfully requested that the Examiner specifically indicate those portions of the reference, or references, providing the basis for a contrary view.

In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicant respectfully requests early passage to issue of the present application.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

Respectfully submitted,

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